IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-22. (canceled)

23. (Currently Amended) A method for performing a scheduling algorithm with minimum resource scheduling in a mobile communication system, comprising:

scheduling allocation units for a user or service on a per-scheduling frame basis, wherein each scheduling frame comprises a plurality of allocation units,

checking whether the allocation units that are scheduled for the user or service in a current scheduling frame meet at least one resource constraint,

releasing the allocation units that are scheduled for the user or service for said current scheduling frame in response to a result of checking whether the allocation units that are scheduled for the user or service in said current scheduling frame meet the at least one resource constraint, and

re-scheduling the released allocation units in the current scheduling frame to at least one other user or service,

wherein the method further comprises:

checking whether at least one other resource constraint is not violated by the releasing of the allocation units, and

performing the releasing of the allocation units that are scheduled for the user or service only if the at least one other resource constraint is not violated by the releasing of the allocation units.

24. (Previously Presented) The method according to claim 23, wherein the scheduling comprises considering at least one of a channel condition parameter, an amount of data available for transmission to a specific user, a quality of service, a delay, a data rate and a carrier to interference ratio.

25. (Previously Presented) The method according to claim 23, wherein the scheduling frame has at least one of a time division, frequency division or code division frame structure.

26. (Previously Presented) The method according to claim 23, wherein the at least one resource constraint is a user or service based requirement.

27. (Previously Presented) The method according to claim 23, wherein the at least one resource constraint is a scheduling frame based requirement.

28. (Previously Presented) The method according to claim 23, wherein the at least one resource constraint is defined based on a proportion of available scheduling frame resources.

29. (Previously Presented) The method according to claim 23, wherein the at least one resource constraint is represented by a minimum number of scheduled allocation units for the user or service.

30. (Previously Presented) The method according to claim 23, wherein the allocation units have a quantity of one of transmittable information bits, Internet Protocol packets, code blocks or modulation symbols.

31. (Cancelled)

32. (Currently Amended) The method according to claim 23 ~~31~~, wherein the checking of whether the at least one other constraint is violated comprises determining a quality of service parameter such as a maximum allowable delay or long-term data rate.

33. (Cancelled)

34. (Currently Amended) The method according to claim 23, further comprising signaling to the user ~~the~~ a result of the scheduling algorithm, including whether the allocation units are released.

35. (Previously Presented) The method according to claim 34, wherein the signaling is transmitted on an associated control channel.

36. (Previously Presented) The method according to claim 23, wherein the checking and the releasing of the allocation units are carried out in a time sequential manner by the scheduling algorithm for all users or services.

37. (Currently Amended) A scheduling apparatus for use in a mobile communication system and for performing a scheduling algorithm with minimum resource scheduling, comprising:

a scheduling unit comprising a processor for scheduling allocation units for a user or service on a per-scheduling frame basis, wherein each scheduling frame comprises a plurality of allocation units,

a checking unit for checking whether the allocation units that are scheduled for the user or service in a current scheduling frame meet at least one resource constraint and for providing a result of the checking, and

a releasing unit for releasing the allocation units that are scheduled for the user or service for the current scheduling frame in response to the result provided by the checking unit,

wherein the scheduling unit is configured to re-schedule the released allocation units in the current scheduling frame to at least one other user or service, and

wherein the scheduling apparatus further comprises a determining unit for determining whether at least one other resource constraint is not violated by the releasing of the allocation units and for allowing the releasing of the allocation units that are scheduled for the user or

service only if the at least one other resource constraint is not violated by the releasing of the allocation units.

38. (Cancelled)

39. (Currently Amended) The scheduling apparatus according to claim 37, further comprising a signaling unit for signaling to the user a ~~the~~ result of the scheduling algorithm, including whether the allocation units are released.

40. (Cancelled)

41. (Previously Presented) A base station comprising a scheduling apparatus according to claim 37.

42. (Previously Presented) A mobile terminal comprising a scheduling apparatus according to claim 37.

43. (Currently Amended) A mobile communication system comprising a transmitter and a scheduling apparatus according to claim 37 and a receiver, the receiver further comprising a processing unit for processing information on a ~~the~~ result of the scheduling algorithm, and

a control unit for shutting down at least part of the mobile communication system's receiving circuitry for the duration of a scheduling frame for which no allocation units are scheduled to the receiver.

44. (Currently Amended) A mobile communication system comprising a scheduling apparatus according to claim 37 and a transmitter, the transmitter further comprising a processing unit for processing information on a ~~the~~ result of the scheduling algorithm, and

a control unit for shutting down at least part of the mobile communication system's transmitting circuitry for the duration of a scheduling frame for which no allocation units are scheduled to the transmitter.

45. (Currently Amended) The scheduling apparatus according to claim 37 ~~38~~, further comprising a signaling unit for signaling to the user a ~~the~~ result of the scheduling algorithm, including ~~in particular~~ whether the allocation units are released.